

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THOMAS A. WEBER,

Plaintiff,

v.

TIME WARNER, INC., *et al.*,

Defendants.

Case No. C05-1706L

ORDER DENYING MOTION TO
COMPEL DEFENDANTS TO AMEND
THEIR RULE 26 DISCLOSURES

This matter comes before the Court on plaintiff's "motion for order that defendants amend Rule 26 initial disclosures for joining undisclosed indispensable parties under Rule 19." (Dkt. #120). Plaintiff moves the Court for an order requiring the defendants to amend their initial disclosures.

Pursuant to Fed. R. Civ. P. 37(a)(2)(A), any motion to compel Rule 26(a) disclosures "must include a certification that the movant has in good faith conferred or attempted to confer with the party not making the disclosure in an effort to secure the disclosure without court action." Similarly, Local Rule 37(a)(2)(A) provides, "A good faith effort to confer with a party or a person not making a disclosure or discovery requires a face-to-face meeting or a telephonic conference. If the court finds that counsel for any party, or a party proceeding pro se, willfully refuses to confer, fails to confer in good faith, or fails to respond on a timely basis to a request to

1 confer, the court may take action as stated in GR 3 of these rules.”

2 Plaintiff has not stated that he conferred or attempted to confer with defendants’ counsel
3 prior to filing this motion. Accordingly, the motion is DENIED. (Dkt. #120). Plaintiff may
4 refile the motion if he complies with Fed. R. Civ. P. 37 and Local Rule 37, and if the good faith
5 conferences do not resolve this dispute.

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7 DATED this 14th day of February, 2006.

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11 Robert S. Lasnik
12 United States District Judge
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